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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210506
Party	Defendant E! Entertainment Television, LLC
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Submission	Motion to Suspend for Settlement Discussions
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Date	09/22/2015
Attachments	2015.09.22 91210506 Consent Motion to Suspend Proceedings.pdf(7800 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

Ovation, LLC,  
a Delaware limited liability company,

Opposer,

v.

E! Entertainment Television, LLC,  
a Delaware limited liability company,

Applicant.

**Opposition No. 91210506 (parent)**

Application No. 85/569,798

Mark: POP OF CULTURE

**Opposition No. 91217286**

Application No. 85/937,423

Mark: E POP OF CULTURE

**Opposition No. 91217287**

Application No. 85/937,399

Mark: E POP OF CULTURE

**CONSENTED MOTION TO SUSPEND PROCEEDINGS**

**AND ALL PENDING DEADLINES**

Applicant E! Entertainment Television, LLC (“Applicant” and/or “E! Entertainment”) hereby moves the Board to suspend this matter for a period of sixty (60) days, as per TBMP §§ 510.03(a) and 605.02.

Opposer Ovation, LLC stipulates to this suspension.

In support of this motion, Applicant states as follows:

1. Applicant has noticed the Rule 30(b)(6) deposition of Opposer and Rob Canter to occur on October 1, 2015. Opposer has served objections to Applicant’s 30(b)(6) notice.
2. On September 2, 2015, the Board ruled on Opposer’s motion to compel (Docket No. 26), and ordered Applicant to serve supplemental discovery responses and documents on Opposer within thirty (30) days (*i.e.*, by October 2, 2015). (Docket No. 32.)
3. On September 11, 2015, Applicant filed Applicant E! Entertainment Television LLC’s Motion for Leave to Withdraw Admissions. (Docket No. 33.) Opposer’s deadline to file

and serve its opposition brief is October 1, 2015.

4. The parties are in settlement discussions that involve all of the proceedings at issue, and therefore, request that this consolidated proceeding be suspended for sixty (60) days, including the dates for Applicant to serve supplemental discovery responses and documents in response to the Board's September 2, 2015 order and the time for Opposer to file and serve its opposition to Applicant E! Entertainment Television LLC's Motion for Leave to Withdraw Admissions, such that the revised deadlines are as follows:

<b><u>Deadline</u></b>	<b><u>Date</u></b>
Applicant's Supplemental Discovery Responses and Document Production	December 1, 2015
Opposer's Response to Applicant's Motion to Withdraw Admissions	November 30, 2015
Discovery Closes	December 16, 2015
Opposer's Pretrial Disclosures Due	January 30, 2016
Opposer's 30-day Trial Period Ends	March 15, 2016
Applicant's 30-day Trial Period Ends	May 14, 2016
Opposer's Rebuttal Disclosures Due	May 29, 2016
Opposer's 15-day Rebuttal Period Ends	June 28, 2016

Dated: this 22nd day of September, 2015.

LEWIS ROCA ROTHGERBER

By: /s/ Jonathan W. Fountain  
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*Attorneys for Applicant  
E! Entertainment Television, LLC*

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that a true and complete copy of the foregoing CONSENTED MOTION TO SUSPEND PROCEEDINGS AND EXTEND OTHER DEADLINES is being transmitted electronically with the United States Patent and Trademark Office, Trademark Trial and Appeal Board, through ESTTA at <http://estta.uspto.gov> on September 22, 2015.

/s/ Joy A. Jones, CP

An employee of Lewis and Roca LLP

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing CONSENTED MOTION TO SUSPEND PROCEEDINGS AND EXTEND OTHER DEADLINES has been served on attorneys for Opposer, by mailing a copy on September 22, 2015, via First Class Mail, postage prepaid, to:

Jill M. Pietrini, Esq.  
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/s/ Joy A. Jones, CP

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